

SENATE BILL NO. 429

INTRODUCED BY M. SPRAGUE, GILLAN, BISHOP, BOHLINGER, BRANAE, R. BROWN, FORRESTER,
FUCHS, GLASER, HARGROVE, MCGEE, K. MILLER

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE TIME PERIOD WITHIN WHICH A PETITION
REQUESTING A REFERENDUM ON AN ORDINANCE MAY BE FILED; AMENDING SECTION 7-5-132, MCA;
AND PROVIDING AN IMMEDIATE EFFECTIVE DATE ~~AND A RETROACTIVE APPLICABILITY DATE.~~"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-5-132, MCA, is amended to read:

"7-5-132. Procedure to exercise right of initiative or referendum. (1) The electors may initiate and
amend ordinances and require submission of existing ordinances to a vote of the people by petition. If an
approved petition containing sufficient signatures is filed prior to the ordinance's effective date or within
51 60 days after the passage of the ordinance, whichever is later, a petition requesting a referendum on
the ordinance ~~shall delay~~ delays the ordinance's effective date until the ordinance is ratified by the
electors. A petition requesting a referendum on an emergency ordinance filed within ~~30 51 60~~ days of ~~its~~
the effective date shall suspend of the ordinance suspends the ordinance until ratified by the electors.

(2) The governing body may refer existing or proposed ordinances to a vote of the people by
resolution.

(3) A petition or resolution for initiative or referendum ~~shall~~ must:

(a) embrace only a single comprehensive subject;

(b) set out fully the ordinance sought by petitioners or, in the case of an amendment, set out fully
the ordinance sought to be amended and the proposed amendment or, in the case of referendum, set out
the ordinance sought to be repealed;

(c) be in the form prescribed in Title 13, chapter 27, except as specifically provided in this part;

(d) contain the signatures of 15% of the registered electors of the local government; and

(e) contain transition provisions if the measure changes terms of office or forms of government."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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2 ~~NEW SECTION. Section 3. Retroactive applicability.~~ [This act] applies retroactively, within the
3 meaning of 1-2-109, to a petition requesting a referendum on an ordinance that became effective prior to
4 [the effective date of this act] if the petition was or is submitted within the latest time limit prescribed in
5 [section 1(1)].

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